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WESTERN DISTRICT OF LOUISIANA

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAKE CHARLES DIVISION

KENNY R. RIGMAIDEN : DOCKET NO. 2:04 CV 02153

VS. : JUDGE MINALDI

JO ANNE B. BARNHART, : MAGISTRATE JUDGE WILSON
COMMISSIONER OF SOCIAL
SECURITY

JUDGEMENT

Having considered the Report and Recommendation fo the Magistrate Judge filed previously herein, after an independent review of the record, and a *de novo* determination of the issues, and considertion of the objections filed herein, for the reasons stated in the corresponding Memorandum Ruling by this court,

IT IS ORDERED that this matter be remanded to the Commissioner of Social Security for further proceedings. Upon remand a determination as to whether Kenny R. Rigmaiden was mentally retarded prior to the age of 22 shall be made. In making this determination, if standardized intelligence tests are administered, the Commissioner shall consider IQ scores in the manner prescribed by 20 C.F.R. Pt. 404, Subpt. P, App. 1, 12.00 (D)(6)(c).

Lake Charles, Louisiana, this 24 day of August, 2006.


PATRICIA MINALDI
UNITED STATES DISTRICT JUDGE